

# Senate Study Bill 1145

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
AGRICULTURE BILL BY  
CHAIRPERSON BEHN)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the department of agriculture and land  
2 stewardship by providing for administration of and enforcement  
3 of programs, including by providing for program elimination  
4 and enhancing the readability of related provisions, and  
5 providing an effective date.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
7 TLSB 2238SC 80  
8 da/sh/8

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1 1 DIVISION I  
1 2 GENERAL POWERS AND DUTIES OF THE DEPARTMENT OF  
1 3 AGRICULTURE AND LAND STEWARDSHIP  
1 4 Section 1. Section 159.1, Code 2003, is amended to read as  
1 5 follows:  
1 6 159.1 DEFINITIONS.  
1 7 For the purposes of ~~subtitles 1 through 3 of this title,~~  
1 8 ~~excluding chapters 161A through 161C this chapter,~~ unless  
1 9 otherwise provided:  
1 10 1. ~~"Agricultural drainage well" means the same as defined~~  
1 11 ~~in section 460.101.~~  
1 12 2. ~~"Agricultural drainage well area" means the same as~~  
1 13 ~~defined in section 460.101.~~  
1 14 3. ~~"Department" means the department of agriculture and~~  
1 15 ~~land stewardship and if the department is required or~~  
1 16 ~~authorized to do an act, unless otherwise provided, the act~~  
1 17 ~~may be performed by an officer, regular assistant, or duly~~  
1 18 ~~authorized agent of the department as provided in section~~  
1 19 ~~159.4.~~  
1 20 4. ~~"Designated agricultural drainage well area" means the~~  
1 21 ~~same as defined in section 460.101.~~  
1 22 5. ~~"Person" includes an individual, a corporation,~~  
1 23 ~~company, firm, society, or association; and the act, omission,~~  
1 24 ~~or conduct of any officer, agent, or other person acting in a~~  
1 25 ~~representative capacity shall be imputed to the organization~~  
1 26 ~~or person represented, and the person acting in such capacity~~  
1 27 ~~shall also be liable for violation of subtitles 1 through 3 of~~  
1 28 ~~this title, excluding chapters 161A through 161C.~~  
1 29 6. 2. "Secretary" means the secretary of agriculture as  
1 30 provided in section 159.4.  
1 31 Sec. 2. Section 159.4, Code 2003, is amended to read as  
1 32 follows:  
1 33 159.4 ~~LOCATION~~ DEPARTMENT OF AGRICULTURE AND LAND  
1 34 STEWARDSHIP CREATED == SECRETARY OF AGRICULTURE == LOCATION.  
1 35 1. ~~A department of agriculture and land stewardship is~~  
2 1 ~~created. The department is headed by the secretary of~~  
2 2 ~~agriculture. The salary of the secretary of agriculture shall~~  
2 3 ~~be as fixed by the general assembly.~~  
2 4 2. ~~The department shall carry out the objects for which~~  
2 5 ~~the department is created and for the proper administration of~~  
2 6 ~~programs and the enforcement of regulations as provided in~~  
2 7 ~~this title.~~  
2 8 3. The department of agriculture and land stewardship  
2 9 shall be located at the seat of government.  
2 10 Sec. 3. NEW SECTION. 159.4A IMPUTING RESPONSIBILITY.  
2 11 For the purposes of subtitles 1 through 3 of this title, an  
2 12 act, omission, or conduct of any officer, agent, or other  
2 13 person acting in a representative capacity shall be imputed to  
2 14 the organization or person represented, and the person acting  
2 15 in such capacity shall also be liable for a violation of  
2 16 subtitles 1 through 3 of this title.  
2 17 Sec. 4. Section 159.5, Code 2003, is amended to read as  
2 18 follows:  
2 19 159.5 ~~POWERS AND DUTIES~~ ADMINISTRATIVE UNITS.

2 20 The secretary of agriculture is the head of the department  
2 21 of agriculture and land stewardship which shall+  
2 22 1. Carry out the objects for which the department is  
2 23 created and maintained.  
2 24 2. Establish establish and maintain such administrative  
2 25 units consistent with the requirements of this title and  
2 26 chapter 7E, including but not limited to divisions and bureaus  
2 27 in the department as are necessary for the proper enforcement  
2 28 of the laws administered by it. The department shall  
2 29 establish and maintain administrative units responsible for  
2 30 all of the following:  
2 31 3. Consolidate the inspection service of the state in  
2 32 respect to the laws administered by the department so as to  
2 33 eliminate duplication of inspection insofar as practicable.  
2 34 4. 1. Maintain a weather division which Weather  
2 35 information. The administrative unit shall, in cooperation  
3 1 with the national weather service, collect and disseminate  
3 2 weather and phenological statistics and meteorological data,  
3 3 and promote knowledge of meteorology, phenology and  
3 4 climatology of the state. The division administrative unit  
3 5 shall be headed by the state climatologist who shall be  
3 6 appointed by the secretary of agriculture, and shall be an  
3 7 officer of the national weather service, if one is detailed  
3 8 for that purpose by the federal government.  
3 9 5. Establish volunteer Volunteer weather stations which  
3 10 shall be established in one or more places in each county+  
3 11 The department shall appoint observers thereat, supervise such  
3 12 stations, receive reports of meteorological events, and  
3 13 tabulate the same for permanent record.  
3 14 6. Issue weekly weather and crop bulletins from April 1 to  
3 15 October 1 of each year, and edit and cause to be published  
3 16 monthly weather reports, containing meteorological matter in  
3 17 its relationship to agriculture, transportation, commerce and  
3 18 the general public.  
3 19 7. 2. Maintain a division of agricultural Agricultural  
3 20 statistics, which. The administrative unit shall, in  
3 21 cooperation with the United States department of agriculture  
3 22 statistical reporting service, gather, compile, and publish  
3 23 statistical information concerning the condition and progress  
3 24 of crops, the production of crops, livestock, livestock  
3 25 products, poultry, and other such related agricultural  
3 26 statistics, as will generally promote knowledge of the  
3 27 agricultural industry in the state of Iowa. The statistics,  
3 28 when published, constitute official agricultural statistics  
3 29 for the state of Iowa. The division administrative unit is in  
3 30 the charge of an administrator, who shall be appointed by the  
3 31 secretary of agriculture and who shall be an officer of the  
3 32 United States department of agriculture statistical reporting  
3 33 service, if one is detailed for that purpose by the federal  
3 34 government.  
3 35 8. 3. Establish and maintain a marketing Marketing news  
4 1 service division in the department which. The administrative  
4 2 unit shall, in cooperation with the federal market news and  
4 3 grading division of the United States department of  
4 4 agriculture, collect and disseminate data and information  
4 5 relative to the market prices and conditions of agricultural  
4 6 products raised, produced, and handled in the state. The  
4 7 division administrative unit is in the charge of an  
4 8 administrator, who shall be appointed by the secretary of  
4 9 agriculture and shall be an officer of the federal market news  
4 10 and grading division of the United States department of  
4 11 agriculture, if one is detailed for that purpose by the  
4 12 federal government.  
4 13 9. Inspect and supervise all food producing or  
4 14 distributing establishments including the furniture, fixtures,  
4 15 utensils, machinery, and other equipment so as to prevent the  
4 16 production, preparation, packing, storage, or transportation  
4 17 of food in a manner detrimental to its character or quality.  
4 18 10. Approve all methods of probing for foreign material  
4 19 content of any type of grain.  
4 20 11. Establish, publish, and enforce rules not inconsistent  
4 21 with law for the enforcement of the provisions of subtitles 1  
4 22 through 3 of this title, excluding chapters 161A through 161C,  
4 23 and for the enforcement of the various laws, the  
4 24 administration and supervision of which are imposed upon the  
4 25 department.  
4 26 12. 4. Establish and maintain a sheep Sheep and wool  
4 27 promotion division in the department which shall. The  
4 28 administrative unit shall promote the consumption of lamb,  
4 29 mutton, and the use of wool, aid in the orderly marketing of  
4 30 sheep and wool, and conduct other activities which are

4 31 beneficial to the sheep industry in Iowa. ~~The division is in~~  
4 32 ~~the charge of an administrator, who shall be appointed by the~~  
4 33 ~~secretary of agriculture. Funds appropriated for the~~  
4 34 ~~department of agriculture for state aid to the Iowa sheep~~  
4 35 ~~association may be used together with other funds available~~  
5 1 ~~for sheep promotion in establishing and maintaining the sheep~~  
5 2 ~~promotion division, and the funds may be drawn and expended~~  
5 3 ~~upon the order of the administrator with the approval of the~~  
5 4 ~~secretary of agriculture administrative unit.~~

5 5 ~~13. Establish a swine tuberculosis eradication program~~  
5 6 ~~including, but not limited to:~~

5 7 ~~a. The inspection of swine herds in this state when the~~  
5 8 ~~department finds that an animal from a swine herd has, or is~~  
5 9 ~~believed to have, tuberculosis;~~

5 10 ~~b. Ear tagging or otherwise physically marking all swine~~  
5 11 ~~reacting positively to tests for tuberculosis;~~

5 12 ~~c. Condemning any swine which has tuberculosis;~~

5 13 ~~d. Depopulating any swine herd where tuberculosis is found~~  
5 14 ~~to be generally present; and~~

5 15 ~~e. Compensate the owners of condemned swine as provided~~  
5 16 ~~under section 165.18, following the general procedures for~~  
5 17 ~~filing claims and paying indemnities as provided in chapter~~  
5 18 ~~165.~~

5 19 ~~If the department finds that the source of the tuberculosis~~  
5 20 ~~in a swine herd is from another species of animal, except~~  
5 21 ~~bovine, located on or near the premises on which the affected~~  
5 22 ~~swine herd is located, the department may destroy those~~  
5 23 ~~animals and indemnify the owners of the condemned animals as~~  
5 24 ~~provided in chapter 163.~~

5 25 ~~14. 5. Establish and maintain a division of soil Soil~~  
5 26 ~~conservation. The division administrator of the~~  
5 27 ~~administrative unit shall be appointed by the secretary from a~~  
5 28 ~~list of names of persons recommended by the soil conservation~~  
5 29 ~~committee, pursuant to section 161A.4, subsection 2, and. The~~  
5 30 ~~administrator shall serve at the pleasure of the secretary.~~

5 31 ~~15. Establish an inspection and regulation program~~  
5 32 ~~regarding water sold in sealed containers for human~~  
5 33 ~~consumption. As used in this subsection, "water sold in~~  
5 34 ~~sealed containers for human consumption" includes ice sold in~~  
5 35 ~~sealed containers and bottled water; "bottled water" means~~  
6 1 ~~drinking water which is placed in sealed containers for the~~  
6 2 ~~purpose of sale to the public for human consumption; and~~  
6 3 ~~"drinking water" means water sold for drinking, culinary, or~~  
6 4 ~~other purposes involving the likelihood of the water being~~  
6 5 ~~ingested for human consumption but does not include distilled~~  
6 6 ~~water, carbonated beverages, mineral water, or other beverages~~  
6 7 ~~which contain water. The program shall include, but is not~~  
6 8 ~~limited to, all of the following:~~

6 9 ~~a. Establish, modify, or repeal rules relating to~~  
6 10 ~~standards for testing for the presence of chemicals in water~~  
6 11 ~~sold in sealed containers for human consumption. The~~  
6 12 ~~standards for testing shall not be less stringent than the~~  
6 13 ~~rules established for public drinking water supplies pursuant~~  
6 14 ~~to chapter 455B.~~

6 15 ~~b. Establish, modify, or repeal rules relating to drinking~~  
6 16 ~~water standards for water sold in sealed containers for human~~  
6 17 ~~consumption. The standards shall establish the maximum~~  
6 18 ~~permissible level of any physical, chemical, biological, or~~  
6 19 ~~radiological substance in the water and shall be as stringent~~  
6 20 ~~as those established under the federal Food and Drug Act.~~

6 21 ~~c. Establish, modify, or repeal rules relating to the~~  
6 22 ~~labeling of water sold in sealed containers for human~~  
6 23 ~~consumption including, but not limited to, requirements that~~  
6 24 ~~water sold in this state shall have the words "Meets all~~  
6 25 ~~F.D.A. standards" printed clearly and conspicuously on its~~  
6 26 ~~label.~~

6 27 ~~d. Establish, modify, or repeal rules relating to the~~  
6 28 ~~frequency with which facilities where water is placed in~~  
6 29 ~~sealed containers, including but not limited to ice making and~~  
6 30 ~~bottling facilities, are inspected and tested. The frequency~~  
6 31 ~~standard shall not be less stringent than the frequency~~  
6 32 ~~standard for testing of public water supplies under chapter~~  
6 33 ~~455B.~~

6 34 ~~e. A requirement that all records pertaining to sampling~~  
6 35 ~~and analysis of water sold in sealed containers for human~~  
7 1 ~~consumption under this subsection shall be maintained at the~~  
7 2 ~~bottling facility or if the water is bottled outside of the~~  
7 3 ~~state at the distributor's facility. The records shall be~~  
7 4 ~~maintained for at least two years and shall be available upon~~  
7 5 ~~request for review by officials of the department.~~

7 6 ~~f. Provide that enforcement of this subsection shall be~~

~~7 7 pursuant to chapter 189.~~

~~7 8 g. The provisions of paragraphs "a", "b", "c", and "e"~~  
~~7 9 shall not apply to ice produced from a public water supply as~~  
~~7 10 defined and regulated in chapter 455B. Ice sold in sealed~~  
~~7 11 containers shall be labeled or tagged with the name and~~  
~~7 12 location of the ice maker and whether it is produced from a~~  
~~7 13 public water supply. The department shall adopt rules~~  
~~7 14 relating to the packaging and handling of ice sold in sealed~~  
~~7 15 containers.~~

~~7 16 16. Establish and administer programs for the inspection~~  
~~7 17 and control of disease among livestock as defined in section~~  
~~7 18 717.1.~~

7 19 Sec. 5. NEW SECTION. 159.5A RULEMAKING.

7 20 Unless otherwise specifically provided, the department may  
7 21 adopt rules as provided in chapter 17A which are consistent  
7 22 with the responsibilities delegated to the department by  
7 23 statute in order to provide for the administration of programs  
7 24 and the enforcement of regulations.

7 25 Sec. 6. Section 159.6A, Code 2003, is amended to read as  
7 26 follows:

7 27 159.6A CONTRIBUTIONS.

7 28 The department may accept contributions, including gifts  
7 29 and grants, in order to carry out and administer the  
7 30 provisions of this chapter ~~and chapter 460, subchapter III.~~  
7 31 The department shall maintain an itemized accounting of the  
7 32 contributions. At the end of each fiscal year, the department  
7 33 shall prepare a list recognizing private contributors.

7 34 Sec. 7. NEW SECTION. 159.12 WEATHER AND CROP BULLETINS.

7 35 The department shall issue weekly weather and crop  
8 1 bulletins from April 1 to October 1 of each year, and edit and  
8 2 cause to be published monthly weather reports, containing  
8 3 meteorological matter in its relationship to agriculture,  
8 4 transportation, commerce, and the general public.

8 5 Sec. 8. NEW SECTION. 159.25 GRAIN MARKETING REGULATIONS.

8 6 1. The department shall approve all methods of probing for  
8 7 foreign material content of any type of grain.

8 8 2. The department shall not approve the use of end intake  
8 9 airprobes, which use a vacuum to collect a sample from a load  
8 10 of grain. A person who uses a method of probing for foreign  
8 11 material content of grain which is not approved by the  
8 12 department is guilty of a simple misdemeanor.

8 13 Sec. 9. NEW SECTION. 159.41 DRINKING WATER REGULATION.

8 14 The department shall establish an inspection and regulation  
8 15 program regarding water sold in sealed containers for human  
8 16 consumption. As used in this section, "water sold in sealed  
8 17 containers for human consumption" includes ice sold in sealed  
8 18 containers and bottled water; "bottled water" means drinking  
8 19 water which is placed in sealed containers for the purpose of  
8 20 sale to the public for human consumption; and "drinking water"  
8 21 means water sold for drinking, culinary, or other purposes  
8 22 involving the likelihood of the water being ingested for human  
8 23 consumption, but does not include distilled water, carbonated  
8 24 beverages, mineral water, or other beverages which contain  
8 25 water. The program shall include, but is not limited to, all  
8 26 of the following:

8 27 1. Establishing, modifying, or repealing rules relating to  
8 28 standards for testing for the presence of chemicals in water  
8 29 sold in sealed containers for human consumption. The  
8 30 standards for testing shall not be less stringent than the  
8 31 rules established for public drinking water supplies pursuant  
8 32 to chapter 455B.

8 33 2. Establishing, modifying, or repealing rules relating to  
8 34 drinking water standards for water sold in sealed containers  
8 35 for human consumption. The standards shall establish the  
9 1 maximum permissible level of any physical, chemical,  
9 2 biological, or radiological substance in the water and shall  
9 3 be as stringent as those established under the federal Food  
9 4 and Drug Act.

9 5 3. Establishing, modifying, or repealing rules relating to  
9 6 the labeling of water sold in sealed containers for human  
9 7 consumption including, but not limited to, requirements that  
9 8 water sold in this state shall have the words "Meets all  
9 9 F.D.A. standards" printed clearly and conspicuously on its  
9 10 label.

9 11 4. Establishing, modifying, or repealing rules relating to  
9 12 the frequency with which facilities where water is placed in  
9 13 sealed containers, including but not limited to ice making and  
9 14 bottling facilities, are inspected and tested. The frequency  
9 15 standard shall not be less stringent than the frequency  
9 16 standard for testing of public water supplies under chapter  
9 17 455B.

9 18 5. A requirement that all records pertaining to sampling  
9 19 and analysis of water sold in sealed containers for human  
9 20 consumption under this section shall be maintained at the  
9 21 bottling facility or if the water is bottled outside of the  
9 22 state at the distributor's facility. The records shall be  
9 23 maintained for at least two years and shall be available upon  
9 24 request for review by officials of the department.  
9 25 6. Providing that enforcement of this section shall be  
9 26 pursuant to chapter 189.  
9 27 7. The provisions of subsections 1, 2, 3, and 5 shall not  
9 28 apply to ice produced from a public water supply as defined  
9 29 and regulated in chapter 455B. Ice sold in sealed containers  
9 30 shall be labeled or tagged with the name and location of the  
9 31 ice maker and whether it is produced from a public water  
9 32 supply. The department shall adopt rules relating to the  
9 33 packaging and handling of ice sold in sealed containers.  
9 34 Sec. 10. Section 161.2, Code 2003, is amended by adding  
9 35 the following new subsection:  
10 1 NEW SUBSECTION. 15A. "Secretary" means the secretary of  
10 2 agriculture as provided in section 159.4.  
10 3 Sec. 11. Section 161A.3, subsection 5, Code 2003, is  
10 4 amended to read as follows:  
10 5 5. "Department" means the department of agriculture and  
10 6 land stewardship as created in section 159.4.  
10 7 Sec. 12. Section 161A.3, Code 2003, is amended by adding  
10 8 the following new subsection:  
10 9 NEW SUBSECTION. 12A. "Secretary" means the secretary of  
10 10 agriculture as provided in section 159.4.  
10 11 Sec. 13. Section 162.2, Code 2003, is amended by adding  
10 12 the following new subsections:  
10 13 NEW SUBSECTION. 8A. "Department" means the department of  
10 14 agriculture and land stewardship as created in section 159.4.  
10 15 NEW SUBSECTION. 16A. "Secretary" means the secretary of  
10 16 agriculture as provided in section 159.4.  
10 17 Sec. 14. Section 162.2, subsection 11, Code 2003, is  
10 18 amended by striking the subsection.  
10 19 Sec. 15. NEW SECTION. 163.1A DEFINITIONS.  
10 20 As used in this chapter, unless the context otherwise  
10 21 requires:  
10 22 1. "Department" means the department of agriculture and  
10 23 land stewardship as created in section 159.4.  
10 24 2. "Secretary" means the secretary of agriculture as  
10 25 provided in section 159.4.  
10 26 Sec. 16. NEW SECTION. 163.59 SWINE TUBERCULOSIS  
10 27 ERADICATION PROGRAM.  
10 28 The department shall establish a swine tuberculosis  
10 29 eradication program including, but not limited to, all of the  
10 30 following:  
10 31 1. Inspecting swine herds in this state when the  
10 32 department finds that an animal from a swine herd has, or is  
10 33 believed to have, tuberculosis.  
10 34 2. Ear tagging or otherwise physically marking all swine  
10 35 reacting positively to tests for tuberculosis.  
11 1 3. Condemning any swine which has tuberculosis.  
11 2 4. Depopulating any swine herd where tuberculosis is found  
11 3 to be generally present.  
11 4 5. Compensating the owners of condemned swine as provided  
11 5 under section 165.18, following the general procedures for  
11 6 filing claims and paying indemnities as provided in chapter  
11 7 165.  
11 8 If the department finds that the source of the tuberculosis  
11 9 in a swine herd is from another species of animal, except  
11 10 bovine, located on or near the premises on which the affected  
11 11 swine herd is located, the department may destroy those  
11 12 animals and indemnify the owners of the condemned animals as  
11 13 provided in this chapter.  
11 14 Sec. 17. Section 163A.1, Code 2003, is amended by adding  
11 15 the following new subsection:  
11 16 NEW SUBSECTION. 3A. "Department" means the department of  
11 17 agriculture and land stewardship as created in section 159.4.  
11 18 Sec. 18. Section 164.1, Code 2003, is amended by adding  
11 19 the following new subsection:  
11 20 NEW SUBSECTION. 4A. "Department" means the department of  
11 21 agriculture and land stewardship as created in section 159.4.  
11 22 Sec. 19. NEW SECTION. 165.1A DEFINITIONS.  
11 23 As used in this chapter, unless the context otherwise  
11 24 requires:  
11 25 1. "Department" means the department of agriculture and  
11 26 land stewardship as created in section 159.4.  
11 27 2. "Secretary" means the secretary of agriculture as  
11 28 provided in section 159.4.

11 29 Sec. 20. Section 165.18, subsection 1, paragraph d, Code  
11 30 2003, is amended to read as follows:  
11 31 d. Indemnities as provided in section ~~159.5, subsection 13~~  
11 32 ~~163.59~~, but only to the extent that the moneys in the fund are  
11 33 not required to pay expenses under chapter 163A, 164, or 165.  
11 34 Sec. 21. Section 165A.1, subsection 2, Code 2003, is  
11 35 amended to read as follows:  
12 1 2. "Department" means the department of agriculture and  
12 2 land stewardship as created in section 159.4.  
12 3 Sec. 22. Section 166.1, Code 2003, is amended by adding  
12 4 the following new subsections:  
12 5 NEW SUBSECTION. 2A. "Department" means the department of  
12 6 agriculture and land stewardship as created in section 159.4.  
12 7 NEW SUBSECTION. 5. "Secretary" means the secretary of  
12 8 agriculture as provided in section 159.4.  
12 9 Sec. 23. Section 166A.1, Code 2003, is amended by adding  
12 10 the following new subsection:  
12 11 NEW SUBSECTION. 5A. "Department" means the department of  
12 12 agriculture and land stewardship as created in section 159.4.  
12 13 Sec. 24. Section 166B.1, Code 2003, is amended by adding  
12 14 the following new subsection:  
12 15 NEW SUBSECTION. 0A. "Department" means the department of  
12 16 agriculture and land stewardship as created in section 159.4.  
12 17 Sec. 25. Section 166D.2, Code 2003, is amended by adding  
12 18 the following new subsections:  
12 19 NEW SUBSECTION. 8A. "Department" means the department of  
12 20 agriculture and land stewardship as created in section 159.4.  
12 21 NEW SUBSECTION. 44A. "Secretary" means the secretary of  
12 22 agriculture as provided in section 159.4.  
12 23 Sec. 26. NEW SECTION. 167.1A DEFINITION.  
12 24 As used in this chapter unless the context otherwise  
12 25 requires, "department" means the department of agriculture and  
12 26 land stewardship as created in section 159.4.  
12 27 Sec. 27. Section 167.5, Code 2003, is amended to read as  
12 28 follows:  
12 29 167.5 INSPECTION OF PLACE.  
12 30 On receipt of ~~such an~~ application pursuant to section  
12 31 ~~167.4, the secretary of agriculture or some person appointed~~  
12 32 ~~by the secretary, department~~ shall at once inspect the  
12 33 building in which the applicant proposes to conduct ~~such the~~  
12 34 ~~business of disposing of the bodies of dead animals.~~ If the  
12 35 ~~inspector department~~ finds that ~~said the~~ building complies  
13 1 with the requirements of this chapter, and with the rules of  
13 2 the department, and that the applicant is a responsible and  
13 3 suitable person, the ~~inspector department~~ shall so certify in  
13 4 writing to such specific findings, ~~and forward the same to the~~  
13 5 ~~department.~~  
13 6 Sec. 28. Section 168.1, Code 2003, is amended by adding  
13 7 the following new subsection:  
13 8 NEW SUBSECTION. 1A. "Department" means the department of  
13 9 agriculture and land stewardship as created in section 159.4.  
13 10 Sec. 29. Section 168.7, Code 2003, is amended to read as  
13 11 follows:  
13 12 168.7 ADMINISTRATION OF CHAPTER.  
13 13 ~~The secretary of agriculture shall be charged with~~  
13 14 ~~administration and enforcement of department shall administer~~  
13 15 ~~and enforce~~ this chapter.  
13 16 Sec. 30. Section 168.8, Code 2003, is amended to read as  
13 17 follows:  
13 18 168.8 PUNISHMENT.  
13 19 ~~Any person, partnership, corporation, company, firm,~~  
13 20 ~~society, or association~~ A person who violates any provision of  
13 21 this chapter ~~shall be~~ is guilty of a simple misdemeanor.  
13 22 Sec. 31. Section 169.3, Code 2003, is amended by adding  
13 23 the following new subsection:  
13 24 NEW SUBSECTION. 4A. "Department" means the department of  
13 25 agriculture and land stewardship as created in section 159.4.  
13 26 Sec. 32. Section 169.8, unnumbered paragraph 5, Code 2003,  
13 27 is amended to read as follows:  
13 28 The name, location, number of years of practice of the  
13 29 person to whom a license is issued, the number of the  
13 30 certificate, and the date of registration thereof shall be  
13 31 entered in a book kept in the office of the department ~~of~~  
13 32 ~~agriculture and land stewardship~~, to be known as the "registry  
13 33 book", and the same shall be open to public inspection.  
13 34 Sec. 33. Section 169A.1, Code 2003, is amended by adding  
13 35 the following new subsections:  
14 1 NEW SUBSECTION. 4A. "Department" means the department of  
14 2 agriculture and land stewardship as created in section 159.4.  
14 3 NEW SUBSECTION. 8. "Secretary" means the secretary of  
14 4 agriculture as provided in section 159.4.

14 5 Sec. 34. Section 172A.1, subsection 4, Code 2003, is  
14 6 amended by striking the subsection and inserting in lieu  
14 7 thereof the following:  
14 8 4. "Department" means the department of agriculture and  
14 9 land stewardship as created in section 159.4.  
14 10 Sec. 35. Section 172A.1, Code 2003, is amended by adding  
14 11 the following new subsection:  
14 12 NEW SUBSECTION. 5. "Secretary" means the secretary of  
14 13 agriculture as provided in section 159.4.  
14 14 Sec. 36. Section 172B.1, Code 2003, is amended by adding  
14 15 the following new subsection:  
14 16 NEW SUBSECTION. 0A. "Department" means the department of  
14 17 agriculture and land stewardship as created in section 159.4.  
14 18 Sec. 37. Section 172B.1, subsection 5, Code 2003, is  
14 19 amended to read as follows:  
14 20 5. "Transportation certificate" means the document  
14 21 specified in section 172B.3 and includes either the standard  
14 22 form prescribed by the ~~secretary department~~, or a substitute  
14 23 document the use of which has been authorized by the ~~secretary~~  
14 24 ~~department~~.  
14 25 Sec. 38. Section 172B.3, subsection 1, Code 2003, is  
14 26 amended to read as follows:  
14 27 1. DUTIES OF ~~SECRETARY~~ THE DEPARTMENT. The ~~secretary~~  
14 28 ~~department~~, pursuant to chapter 17A, shall prescribe a  
14 29 standard form of the transportation certificate required by  
14 30 this chapter. Where the laws of this state or of the United  
14 31 States require the possession of another shipping document by  
14 32 a person transporting livestock, or where the industry  
14 33 practice of carriers requires the possession of a shipping  
14 34 document by a person transporting livestock, and where such a  
14 35 document contains all of the information other than signatures  
15 1 which is prescribed in subsection 2, upon application of a  
15 2 carrier the ~~secretary department~~ by rule shall authorize the  
15 3 use of a specific document in lieu of the standard form  
15 4 prescribed by the ~~secretary department~~, but subject to any  
15 5 conditions the ~~secretary department~~ may impose. A person who  
15 6 is in possession of a shipping document approved by the  
15 7 ~~secretary department~~ shall not be required to possess the  
15 8 standard form transportation certificate prescribed by the  
15 9 ~~secretary department~~, but the person may be required by a law  
15 10 enforcement officer to execute the standard form  
15 11 transportation certificate.  
15 12 The form prescribed or authorized by the ~~secretary~~  
15 13 ~~department~~ shall be executed in triplicate, and shall be  
15 14 retained as provided in section 172B.4.  
15 15 The ~~secretary department~~ shall distribute, upon request,  
15 16 copies of the prescribed standard form to veterinarians,  
15 17 marketing agencies, carriers, law enforcement officers, and  
15 18 other persons, and may collect a fee from the recipient  
15 19 totaling not more than the cost of printing and postage.  
15 20 Nothing in this chapter shall be construed to prohibit a  
15 21 person from causing the reproduction of the standard form, and  
15 22 an accurate reproduction of a standard current form may be  
15 23 used as a transportation certificate for all purposes.  
15 24 Sec. 39. Section 172E.1, Code 2003, is amended by adding  
15 25 the following new subsection:  
15 26 NEW SUBSECTION. 1A. "Department" means the department of  
15 27 agriculture and land stewardship as created in section 159.4.  
15 28 Sec. 40. Section 175A.1, subsection 2, Code 2003, is  
15 29 amended to read as follows:  
15 30 2. "Department" means the department of agriculture and  
15 31 land stewardship as created in section 159.4.  
15 32 Sec. 41. Section 177A.2, subsection 2, Code 2003, is  
15 33 amended by adding the following new paragraphs:  
15 34 NEW PARAGRAPH. aa. "Department" means the department of  
15 35 agriculture and land stewardship as created in section 159.4.  
16 1 NEW PARAGRAPH. d. "Secretary" means the secretary of  
16 2 agriculture as provided in section 159.4.  
16 3 Sec. 42. NEW SECTION. 178.1A DEFINITION.  
16 4 As used in this chapter, unless the context otherwise  
16 5 requires, "department" means the department of agriculture and  
16 6 land stewardship as created in section 159.4.  
16 7 Sec. 43. Section 179.1, Code 2003, is amended by adding  
16 8 the following new subsections:  
16 9 NEW SUBSECTION. 2A. "Department" means the department of  
16 10 agriculture and land stewardship as created in section 159.4.  
16 11 NEW SUBSECTION. 10. "Secretary" means the secretary of  
16 12 agriculture as provided in section 159.4.  
16 13 Sec. 44. Section 181.1, Code 2003, is amended by adding  
16 14 the new subsection:  
16 15 NEW SUBSECTION. 5. "Secretary" means the secretary of

16 16 agriculture as provided in section 159.4.  
16 17 Sec. 45. Section 182.1, subsection 4, Code 2003, is  
16 18 amended to read as follows:  
16 19 4. "District" means an official crop reporting district  
16 20 formed by the United States department of agriculture and set  
16 21 out in the annual farm census published by the ~~Iowa~~ department  
16 22 of agriculture and land stewardship as created in section  
16 23 159.4.

16 24 Sec. 46. Section 182.1, Code 2003, is amended by adding  
16 25 the following new subsection:  
16 26 NEW SUBSECTION. 8A. "Secretary" means the secretary of  
16 27 agriculture as provided in section 159.4.  
16 28 Sec. 47. Section 183A.1, Code 2003, is amended by adding  
16 29 the following new subsection:  
16 30 NEW SUBSECTION. 10. "Secretary" means the secretary of  
16 31 agriculture as provided in section 159.4.

16 32 Sec. 48. Section 184.1, Code 2003, is amended by adding  
16 33 the following new subsections:  
16 34 NEW SUBSECTION. 2A. "Department" means the department of  
16 35 agriculture and land stewardship as created in section 159.4.

17 1 NEW SUBSECTION. 11. "Secretary" means the secretary of  
17 2 agriculture as provided in section 159.4.  
17 3 Sec. 49. Section 184A.1, Code 2003, is amended by adding  
17 4 the following new subsections:

17 5 NEW SUBSECTION. 2A. "Department" means the department of  
17 6 agriculture and land stewardship as created in section 159.4.  
17 7 NEW SUBSECTION. 11. "Secretary" means the secretary of  
17 8 agriculture as provided in section 159.4.

17 9 Sec. 50. Section 185.1, subsection 4, Code 2003, is  
17 10 amended to read as follows:  
17 11 4. "District" means an official crop reporting district  
17 12 formed by the United States department of agriculture and set  
17 13 out in the annual farm census published by the ~~Iowa~~ department  
17 14 of agriculture and land stewardship as created in section  
17 15 159.4.

17 16 Sec. 51. Section 185.1, Code 2003, is amended by adding  
17 17 the following new subsection:  
17 18 NEW SUBSECTION. 12A. "Secretary" means the secretary of  
17 19 agriculture as provided in section 159.4.  
17 20 Sec. 52. Section 185C.1, subsection 5, Code 2003, is  
17 21 amended to read as follows:  
17 22 5. "District" means an official crop reporting district  
17 23 formed by the United States department of agriculture and set  
17 24 out in the annual farm census published by the ~~Iowa~~ department  
17 25 of agriculture and land stewardship as created in section  
17 26 159.4.

17 27 Sec. 53. Section 185C.1, Code 2003, is amended by adding  
17 28 the following new subsection:  
17 29 NEW SUBSECTION. 14A. "Secretary" means the secretary of  
17 30 agriculture as provided in section 159.4.

17 31 Sec. 54. NEW SECTION. 186.1A DEFINITION.  
17 32 As used in this chapter, unless the context otherwise  
17 33 requires, "secretary" means the secretary of agriculture as  
17 34 provided in section 159.4.

17 35 Sec. 55. DIRECTIONS TO CODE EDITOR.  
18 1 1. The Code editor shall transfer section 159.31 to  
18 2 section 159.26.  
18 3 2. The Code editor shall eliminate captions in chapter 159  
18 4 that divide sections, if the sections have been repealed or  
18 5 are reserved.

18 6 Sec. 56. Sections 159.6, 159.7, 159.9, and 159.19, Code  
18 7 2003, are repealed.

18 8 DIVISION II  
18 9 BEEKEEPING

18 10 Sec. 57. Section 160.1, Code 2003, is amended to read as  
18 11 follows:

18 12 160.1 APPOINTMENT BY SECRETARY OF AGRICULTURE.

18 13 ~~There is hereby created and established within the The~~  
18 14 ~~department the may establish and maintain an~~ office of state  
18 15 ~~apiarist. The state apiarist who shall be appointed by and be~~  
18 16 ~~responsible to and under the authority of the secretary of~~  
18 17 ~~agriculture in the issuance of all rules, the establishment of~~  
18 18 ~~quarantines and other official acts.~~

18 19 Sec. 58. Section 160.1A, Code 2003, is amended by adding  
18 20 the following new subsections:

18 21 NEW SUBSECTION. 3A. "Department" means the department of  
18 22 agriculture and land stewardship as created in section 159.4.

18 23 NEW SUBSECTION. 5. "Secretary" means the secretary of  
18 24 agriculture as provided in section 159.4.

18 25 Sec. 59. Section 160.2, unnumbered paragraph 1, Code 2003,  
18 26 is amended to read as follows:



18 27 The ~~state apiarist department~~ shall do all of the  
18 28 following:  
18 29 Sec. 60. Section 160.3, Code 2003, is amended to read as  
18 30 follows:  
18 31 160.3 RIGHT TO ENTER PREMISES.  
18 32 ~~In the performance of the apiarist's duties, the state~~  
18 33 ~~apiarist or the apiarist's assistants shall have the right to~~  
18 34 ~~The department may enter any premises, enclosure, or buildings~~  
18 35 containing bees or bee supplies.  
19 1 Sec. 61. Section 160.5, unnumbered paragraphs 1 and 3,  
19 2 Code 2003, are amended to read as follows:  
19 3 If upon examination the ~~apiarist department~~ finds bees to  
19 4 be diseased or infested with parasites, the ~~apiarist~~  
19 5 ~~department~~ shall furnish the owner or person in charge of the  
19 6 apiary with full written instructions as to the nature of the  
19 7 disease or infestation and the best methods of treatment,  
19 8 which information shall be furnished without cost to the  
19 9 owner.  
19 10 A person who desires to move a colony, package, or used  
19 11 equipment with combs into this state shall apply to the ~~state~~  
19 12 ~~apiarist department~~ for a written entry permit at least sixty  
19 13 days prior to the proposed entry date. A statement must  
19 14 accompany each application for an entry permit describing each  
19 15 offense related to beekeeping for which the person has been  
19 16 subject to a penalty by a state, federal, or foreign  
19 17 government. The written entry permit must accompany all such  
19 18 shipments when they enter the state. Entry into this state  
19 19 without a permit is unlawful and is punishable pursuant to  
19 20 section 160.14. However, entry requirements of this section  
19 21 shall not apply to a package shipped by the United States  
19 22 postal service.  
19 23 Sec. 62. Section 160.5, subsection 1, Code 2003, is  
19 24 amended to read as follows:  
19 25 1. A valid Iowa certificate of inspection must be on file  
19 26 with the department or a valid certificate of inspection or  
19 27 certificate of health dated within the last sixty days must  
19 28 have been submitted by the ~~state apiarist department~~ or  
19 29 inspector of the state of origin. A certificate must indicate  
19 30 the absence of any contagious diseases, parasites, or  
19 31 Africanized bees in the colony or package to be shipped.  
19 32 Sec. 63. Section 160.6, Code 2003, is amended to read as  
19 33 follows:  
19 34 160.6 NOTICE TO TREAT, DISINFECT, REMOVE, OR DESTROY.  
19 35 The ~~state apiarist department~~ shall provide a notice in  
20 1 writing to an owner of bees or bee equipment infested with  
20 2 contagious diseases, parasites, or Africanized bees to treat,  
20 3 disinfect, destroy, or remove a colony or equipment in a  
20 4 manner and by a time specified by the ~~state apiarist~~  
20 5 ~~department~~ in the order.  
20 6 Sec. 64. Section 160.7, Code 2003, is amended to read as  
20 7 follows:  
20 8 160.7 ~~APIARIST DEPARTMENT~~ TO DISINFECT OR DESTROY ==  
20 9 COSTS.  
20 10 If the owner fails to comply with the notice provided in  
20 11 section 160.6, the ~~state apiarist department~~ shall declare the  
20 12 diseased, parasite-infested, or Africanized colonies a  
20 13 nuisance, and administer the destruction or disinfection of  
20 14 the bee colonies or equipment required to eliminate the source  
20 15 of the disease, parasites, or Africanized bees. The ~~state~~  
20 16 ~~apiarist department~~ shall keep an account of costs related to  
20 17 the destruction.  
20 18 Sec. 65. Section 160.8, Code 2003, is amended to read as  
20 19 follows:  
20 20 160.8 COSTS CERTIFIED == COLLECTED AS TAX.  
20 21 The ~~state apiarist department~~ shall certify the amount of  
20 22 ~~such cost for destruction of disinfection pursuant to section~~  
20 23 ~~160.7 to the owner and if, If the same amount is not paid to~~  
20 24 ~~the state apiarist department~~ within sixty days, the amount  
20 25 shall be certified to the county auditor of the county in  
20 26 which the premises are located, who shall spread the same upon  
20 27 the tax books which shall be a lien upon the property of the  
20 28 bee owner and be collected as other taxes are collected.  
20 29 Sec. 66. Section 160.9, Code 2003, is amended to read as  
20 30 follows:  
20 31 160.9 RULES.  
20 32 The ~~state apiarist department~~ shall adopt rules relating to  
20 33 the inspection, regulation of movement, sale, and cleanup of  
20 34 bee colonies and used beekeeping equipment that is infested  
20 35 with a contagious disease, harmful parasites, or an  
21 1 undesirable subspecies of honey bees.  
21 2 Sec. 67. Section 160.14, subsections 1 and 4, Code 2003,

21 3 are amended to read as follows:  
21 4 1. A person who knowingly sells, barters, gives away,  
21 5 moves, or allows to be moved, a diseased or parasite=infested  
21 6 colony, package, equipment, or combs without the consent of  
21 7 the ~~state apiarist department~~, or exposes infected honey or  
21 8 infected equipment to the bees, or who willfully fails or  
21 9 neglects to give proper treatment to a diseased or parasite=  
21 10 infested colony, or who interferes with the ~~state apiarist or~~  
~~21 11 the apiarist's assistants department~~ in the performance of  
21 12 official duties or who refuses to permit the examination of  
21 13 bees or their destruction as provided in this chapter or  
21 14 violates another provision of this chapter, except as provided  
21 15 in subsection 2, is guilty of a simple misdemeanor.  
21 16 4. The attorney general or persons designated by the  
21 17 attorney general may institute suits on behalf of the ~~state~~  
~~21 18 apiarist department~~ to obtain injunctive relief to restrain  
21 19 and prevent violations of this chapter.  
21 20 Sec. 68. Section 160.13, Code 2003, is repealed.  
21 21 DIVISION III  
21 22 SPECIAL DEPARTMENTAL PROGRAMS AND FUNDS  
21 23 Sec. 69. Section 161B.1, Code 2003, is amended to read as  
21 24 follows:  
21 25 161B.1 AGRICULTURAL ENERGY MANAGEMENT FUND.  
21 26 1. The agricultural energy management fund is created  
21 27 within the department of ~~agriculture and land stewardship~~.  
21 28 The fund shall be used to finance education and demonstration  
21 29 projects regarding tillage practices and the management of  
21 30 fertilizer and pesticide use which result in management  
21 31 practices that reduce energy inputs in agriculture and reduce  
21 32 potential for groundwater contamination.  
21 33 2. ~~The department of agriculture and land stewardship~~  
~~21 34 shall report annually to the standing committees on energy and~~  
~~21 35 environmental protection of the house and senate on the~~  
~~22 1 projects conducted with the agricultural energy management~~  
~~22 2 fund.~~  
22 3 Sec. 70. Section 161C.7, subsection 1, Code 2003, is  
22 4 amended by striking the subsection.  
22 5 Sec. 71. DIRECTOR TO CODE EDITOR == TRANSFER. The Code  
22 6 editor is directed to transfer section 161B.1, as amended by  
22 7 this Act, to a new section in section 161C.1.  
22 8 DIVISION IV  
22 9 ELIMINATION OF IOWA SOYBEAN ASSOCIATION PROVISIONS  
22 10 Sec. 72. Chapter 185A, Code 2003, is repealed.  
22 11 DIVISION V  
22 12 ELIMINATION OF IOWA CORN GROWERS ASSOCIATION  
22 13 Sec. 73. Chapter 185B, Code 2003, is repealed.  
22 14 DIVISION VI  
22 15 ELIMINATION OF FOOD LABELING PROVISIONS  
22 16 Sec. 74. Section 189.11, Code 2003, is amended to read as  
22 17 follows:  
22 18 189.11 LABELING OF MIXTURES == STATE RULES == FEDERAL  
22 19 REQUIREMENTS PREVAIL.  
22 20 1. In addition to the requirements of section 189.9,  
22 21 unless otherwise provided, articles which are mixtures,  
22 22 compounds, combinations, blends, or imitations shall be marked  
22 23 as such and immediately followed, without any intervening  
22 24 matter and in the same size and style of type, by the names of  
22 25 all the ingredients contained therein, beginning with the one  
22 26 present in the largest proportion.  
22 27 2. The department may adopt rules providing labeling  
22 28 requirements for dairy products or imitation dairy products  
22 29 which are exclusively sold on an intrastate basis, and which  
22 30 are not otherwise subject to labeling requirements of the  
22 31 United States government.  
22 32 3. Notwithstanding any other requirements of this chapter  
22 33 or of chapter 190, foods and food products labeled in  
22 34 conformance with the labeling requirements of ~~the government~~  
~~22 35 of the United States government~~ shall be deemed to be labeled  
23 1 in conformance with the laws of ~~the state of Iowa~~ this state.  
23 2 Sec. 75. Section 192.107, unnumbered paragraphs 1, 2, 3,  
23 3 and 5, Code 2003, are amended to read as follows:  
23 4 A person who does not possess a permit issued by the  
23 5 department shall not bring, send, or receive into the state  
23 6 for sale, or sell, offer for sale, or store any milk or milk  
23 7 product as provided in this chapter and in ~~chapters~~ chapter  
23 8 ~~190 and 191~~. However, the department may exempt from this  
23 9 requirement grocery stores, restaurants, soda fountains, or  
23 10 similar establishments where milk or a milk product is served  
23 11 or sold at retail, but not processed.  
23 12 Only a person who complies with the requirements of this  
23 13 chapter and ~~chapters~~ chapter 190 ~~and 191~~ shall be entitled to

23 14 receive and retain a permit from the department. Permits  
23 15 shall not be transferable with respect to persons or  
23 16 locations.

23 17 The department shall suspend a permit whenever there is  
23 18 reason to believe that a public health hazard exists, whenever  
23 19 the permit holder has violated any of the requirements of this  
23 20 chapter, ~~or chapter 190, or chapter 191,~~ or whenever the  
23 21 permit holder has interfered with the department in the  
23 22 performance of its duties. However, where the milk or milk  
23 23 product involved creates, or appears to create, an imminent  
23 24 hazard to the public health, or in any case of a willful  
23 25 refusal to permit authorized inspection, the department shall  
23 26 serve upon the holder a written notice of intent to suspend  
23 27 the permit. The notice shall specify with particularity the  
23 28 violations in question and afford the holder such reasonable  
23 29 opportunity to correct such violations as may be agreed to by  
23 30 the parties, or in the absence of agreement, established by  
23 31 the secretary before making any order of suspension effective.  
23 32 A suspension of permit shall remain in effect until the  
23 33 violation has been corrected to the satisfaction of the  
23 34 department. As used in this section, the terms "public health  
23 35 hazard" and "imminent hazard" shall be defined by rules

24 1 adopted by the department. The rules shall include examples  
24 2 of public health hazards and imminent hazards.

24 3 Upon repeated violation, the department may revoke a permit  
24 4 following reasonable notice to the permit holder and an  
24 5 opportunity for a hearing. This section is not intended to  
24 6 preclude the institution of a court action provided in this  
24 7 chapter, ~~or chapter 190, or chapter 191.~~

24 8 Sec. 76. Section 192.108, Code 2003, is amended to read as  
24 9 follows:

24 10 192.108 ADMINISTRATION OF THE CHAPTER == INSPECTIONS  
24 11 REQUIRED.

24 12 The department shall administer this chapter and rules  
24 13 adopted pursuant to this chapter. The department is  
24 14 responsible for the inspection of a dairy farm, milk plant,  
24 15 transfer station, or receiving station to ensure compliance  
24 16 with this chapter and ~~chapters chapter 190 and 191.~~ The  
24 17 department may enter into an inspection contract with a person  
24 18 qualified to perform inspection services if the agreement for  
24 19 the services is cost-effective and the quality of inspection  
24 20 ensures compliance with state and federal law. A person  
24 21 entering into an inspection contract with the department for  
24 22 the purpose of inspecting premises, taking samples, or testing  
24 23 samples, shall be deemed to be an agent of the department, and  
24 24 shall have the same authority under this chapter provided to  
24 25 the department, unless the contract specifies otherwise. The  
24 26 department shall review inspection services performed by a  
24 27 person under an inspection contract to ensure quality cost=  
24 28 effective inspections. If a person is acting in a manner  
24 29 which is inconsistent with the provisions of the applicable  
24 30 chapter or contract, the department may revoke the inspection  
24 31 contract after notice and hearing, in the manner described for  
24 32 permit revocation in section 192.107 and perform such acts as  
24 33 are necessary to enforce this chapter. Except as provided in  
24 34 this chapter or chapter 194, a person shall not charge a milk  
24 35 plant, receiving station, or transfer station a fee for

25 1 inspection relating to milk or milk products.  
25 2 Sec. 77. Section 192.146, Code 2003, is amended to read as  
25 3 follows:

25 4 192.146 INJUNCTION FOR VIOLATIONS.

25 5 A person who violates any provision of this chapter, ~~or~~  
25 6 ~~chapter 190, or chapter 191,~~ or a rule adopted under ~~any of~~  
25 7 ~~those chapters this chapter or chapter 190~~ may be enjoined  
25 8 from continuing such violations. Each day upon which such a  
25 9 violation occurs constitutes a separate violation.

25 10 Sec. 78. Section 210.12, Code 2003, is amended to read as  
25 11 follows:

25 12 210.12 SALE OF FRUITS AND VEGETABLES IN BASKETS.

25 13 ~~Grapes, other fruits, Fruits and vegetables may be sold in~~  
25 14 ~~climax baskets, but when said commodities. When fruits and~~  
25 15 ~~vegetables are sold in such manner and the containers are~~  
25 16 ~~labeled with the net weight of the contents in accordance with~~  
25 17 ~~the provisions of section 189.9, all the provisions of the~~  
25 18 ~~chapter\* relative to labeling foods shall be deemed to have~~  
25 19 ~~been complied with the department shall consider the baskets~~  
25 20 ~~properly labeled.~~

25 21 Sec. 79. Section 351.756, subsection 36, Code 2003, is  
25 22 amended by striking the subsection.

25 23 Sec. 80. Chapter 191, Code 2003, is repealed.

25 24 DIVISION VII

ELIMINATION OF STANDARD

WEIGHTS AND MEASURES PROVISIONS

25 25  
25 26  
25 27 Sec. 81. Section 210.1, Code 2003, is amended to read as  
25 28 follows:

25 29 210.1 STANDARD ESTABLISHED == RULEMAKING.

25 30 The weights and measures which have been presented by the  
25 31 department to the United States national institute of  
25 32 standards and technology and approved, standardized, and  
25 33 certified by the institute in accordance with the laws of the  
25 34 Congress of the United States shall be the standard weights  
25 35 and measures throughout the state. The department shall adopt  
26 1 rules when necessary in conformance with the United States  
26 2 national institute of standards and technology.

26 3 Sec. 82. Section 210.8, Code 2003, is amended to read as  
26 4 follows:

26 5 210.8 SALES OF DRY COMMODITIES.

26 6 All dry commodities unless bought or sold in package or  
26 7 wrapped form shall be bought or sold only by the standard  
26 8 weight or measure herein established, or by numerical count,  
26 9 unless the parties otherwise agree in writing, ~~except as~~  
26 10 ~~provided in sections 210.9 to 210.12.~~

26 11 Sec. 83. Section 717A.1, subsection 6, paragraph a,  
26 12 subparagraph (1), Code 2003, is amended to read as follows:

26 13 (1) A plant produced from an agricultural seed or  
26 14 vegetable seed as defined in section 199.1, including any  
26 15 plant producing a commodity listed in section ~~210.10~~ 190C.1.

26 16 Sec. 84. The following sections are repealed: 210.7,  
26 17 210.9, 210.10, 210.11, 210.12, 210.15, 210.19, 210.20, 210.21,  
26 18 210.22, 210.23, 210.24, and 210.25, Code 2003.

DIVISION VIII

ELIMINATION OF GRAIN REGULATION PROVISIONS

26 21 Sec. 85. Section 189.1, unnumbered paragraph 1, Code 2003,  
26 22 is amended to read as follows:

26 23 For the purpose of this subtitle, excluding chapters 203,  
26 24 ~~203A~~, 203C, 203D, 207, and 208, unless the context otherwise  
26 25 requires:

26 26 Sec. 86. Section 189.1, subsections 1 and 6, Code 2003,  
26 27 are amended to read as follows:

26 28 1. "Article" includes food, commercial feed, agricultural  
26 29 seed, commercial fertilizer, drug, insecticide, fungicide,  
26 30 paint, linseed oil, turpentine, and illuminating oil, in the  
26 31 sense in which they are defined in the various provisions of  
26 32 this subtitle, excluding chapters 203, ~~203A~~, 203C, 203D, 207,  
26 33 and 208.

26 34 6. "Person" includes a corporation, company, firm,  
26 35 society, or association; and the act, omission, or conduct of  
27 1 any officer, agent, or other person acting in a representative  
27 2 capacity shall be imputed to the organization or person  
27 3 represented, and the person acting in that capacity shall also  
27 4 be liable for violations of this subtitle, excluding chapters  
27 5 203, ~~203A~~, 203C, 203D, 207, and 208.

27 6 Sec. 87. Section 189.2, subsections 2 through 4, Code  
27 7 2003, are amended to read as follows:

27 8 2. Make and publish all necessary rules, not inconsistent  
27 9 with law, for enforcing the provisions of this subtitle,  
27 10 excluding chapters 203, ~~203A~~, 203C, 203D, 207, and 208.

27 11 3. Provide educational measures and exhibits, and conduct  
27 12 educational campaigns as are deemed advisable in fostering and  
27 13 promoting the production and sale of the articles dealt with  
27 14 in this subtitle, excluding chapters 203, ~~203A~~, 203C, 203D,  
27 15 207, and 208, in accordance with the rules adopted pursuant to  
27 16 this subtitle.

27 17 4. Issue from time to time, bulletins showing the results  
27 18 of inspections, analyses, and prosecutions under this  
27 19 subtitle, excluding chapters 203, ~~203A~~, 203C, 203D, 207, and  
27 20 208. These bulletins shall be printed in such numbers as may  
27 21 be approved by the state printing administrator and shall be  
27 22 distributed to the newspapers of the state and to all  
27 23 interested persons.

27 24 Sec. 88. Section 189.3, Code 2003, is amended to read as  
27 25 follows:

27 26 189.3 PROCURING SAMPLES.

27 27 The department shall, for the purpose of examination or  
27 28 analysis, procure from time to time, or whenever the  
27 29 department has occasion to believe any of the provisions of  
27 30 this subtitle, excluding chapters 203, ~~203A~~, 203C, 203D, 207,  
27 31 and 208, are being violated, samples of the articles dealt  
27 32 with in these provisions which have been shipped into this  
27 33 state, offered or exposed for sale, or sold in the state.

27 34 Sec. 89. Section 189.4, Code 2003, is amended to read as  
27 35 follows:

28 1 189.4 ACCESS TO FACTORIES AND BUILDINGS.  
28 2 The department shall have full access to all places,  
28 3 factories, buildings, stands, or premises, and to all wagons,  
28 4 auto trucks, vehicles, or cars used in the preparation,  
28 5 production, distribution, transportation, offering or exposing  
28 6 for sale, or sale of any article dealt with in this subtitle,  
28 7 excluding chapters 203, ~~203A~~, 203C, 203D, 207, and 208.  
28 8 Sec. 90. Section 189.5, Code 2003, is amended to read as  
28 9 follows:  
28 10 189.5 DEALER TO FURNISH SAMPLES.  
28 11 Upon request and tender of the selling price by the  
28 12 department any person who prepares, manufactures, offers or  
28 13 exposes for sale, or delivers to a purchaser any article dealt  
28 14 with in this subtitle, excluding chapters 203, ~~203A~~, 203C,  
28 15 203D, 207, and 208, shall furnish, within business hours, a  
28 16 sample of the same, sufficient in quantity for a proper  
28 17 analysis or examination as shall be provided by the rules of  
28 18 the department.  
28 19 Sec. 91. Section 189.6, Code 2003, is amended to read as  
28 20 follows:  
28 21 189.6 TAKING OF SAMPLES.  
28 22 The department may, without the consent of the owner,  
28 23 examine or open any package containing, or believed to  
28 24 contain, any article or product which it suspects may be  
28 25 prepared, manufactured, offered, or exposed for sale, sold, or  
28 26 held in possession in violation of the provisions of this  
28 27 subtitle, excluding chapters 203, ~~203A~~, 203C, 203D, 207, and  
28 28 208, in order to secure a sample for analysis or examination,  
28 29 and the sample and damage to container shall be paid for at  
28 30 the current market price out of the contingent fund of the  
28 31 department.  
28 32 Sec. 92. Section 189.8, Code 2003, is amended to read as  
28 33 follows:  
28 34 189.8 WITNESSES.  
28 35 In the enforcement of the provisions of this subtitle,  
29 1 excluding chapters 203, ~~203A~~, 203C, 203D, 207, and 208, the  
29 2 department shall have power to issue subpoenas for witnesses,  
29 3 enforce their attendance, and examine them under oath. The  
29 4 witnesses shall be allowed the same fees as witnesses in  
29 5 district court. The fees shall be paid out of the contingent  
29 6 fund of the department.  
29 7 Sec. 93. Section 189.9, unnumbered paragraph 1, Code 2003,  
29 8 is amended to read as follows:  
29 9 All articles in package or wrapped form which are required  
29 10 by this subtitle, excluding chapters 203, ~~203A~~, 203C, 203D,  
29 11 207, and 208, to be labeled, unless otherwise provided, shall  
29 12 be conspicuously marked in the English language in legible  
29 13 letters of not less than eight point heavy gothic caps on the  
29 14 principal label with the following items:  
29 15 Sec. 94. Section 189.13, Code 2003, is amended to read as  
29 16 follows:  
29 17 189.13 FALSE LABELS == DEFAACEMENT.  
29 18 A person shall not use any label required by this subtitle,  
29 19 excluding chapters 203, ~~203A~~, 203C, 203D, 207, and 208, which  
29 20 bears any representations of any kind which are deceptive as  
29 21 to the true character of the article or the place of its  
29 22 production, or which has been carelessly printed or marked,  
29 23 nor shall any person erase or deface any label required by  
29 24 this subtitle, excluding chapters 203, ~~203A~~, 203C, 203D, 207,  
29 25 and 208.  
29 26 Sec. 95. Section 189.14, subsection 1, Code 2003, is  
29 27 amended to read as follows:  
29 28 1. A person shall not knowingly introduce into this state,  
29 29 solicit orders for, deliver, transport, or have in possession  
29 30 with intent to sell, any article which is labeled in any other  
29 31 manner than that prescribed by this subtitle, excluding  
29 32 chapters 203, ~~203A~~, 203C, 203D, 207, and 208, for the label of  
29 33 the article when offered or exposed for sale, or sold in  
29 34 package or wrapped form in this state.  
29 35 Sec. 96. Section 189.15, Code 2003, is amended to read as  
30 1 follows:  
30 2 189.15 ADULTERATED ARTICLES.  
30 3 A person shall not knowingly manufacture, introduce into  
30 4 the state, solicit orders for, sell, deliver, transport, have  
30 5 in possession with the intent to sell, or offer or expose for  
30 6 sale, any article which is adulterated according to the  
30 7 provisions of this subtitle, excluding chapters 203, ~~203A~~,  
30 8 203C, 203D, 207, and 208.  
30 9 Sec. 97. Section 189.16, subsection 2, paragraph a, Code  
30 10 2003, is amended to read as follows:  
30 11 a. Grain by a person regulated under chapter 203, ~~203A~~,

30 12 203C, or 203D.  
30 13 Sec. 98. Section 189.19, unnumbered paragraph 1, Code  
30 14 2003, is amended to read as follows:  
30 15 The following provisions apply to all licenses issued or  
30 16 authorized under this subtitle, excluding chapters 203, ~~203A,~~  
30 17 203C, 203D, 207, and 208:  
30 18 Sec. 99. Section 189.19, subsection 2, Code 2003, is  
30 19 amended to read as follows:  
30 20 2. REFUSAL AND REVOCATION. For good and sufficient  
30 21 grounds the department may refuse to grant a license to any  
30 22 applicant; and it may revoke a license for a violation of any  
30 23 provision of this subtitle, excluding chapters 203, ~~203A,~~  
30 24 203C, 203D, 207, and 208, or for the refusal or failure of any  
30 25 licensee to obey the lawful directions of the department.  
30 26 Sec. 100. Section 189.20, Code 2003, is amended to read as  
30 27 follows:  
30 28 189.20 INJUNCTION.  
30 29 Any person engaging in any business for which a license is  
30 30 required by this subtitle, excluding chapters 203, ~~203A,~~ 203C,  
30 31 203D, 207, and 208, without obtaining such license, may be  
30 32 restrained by injunction, and shall pay all costs made  
30 33 necessary by such procedure.  
30 34 Sec. 101. Section 189.21, Code 2003, is amended to read as  
30 35 follows:  
31 1 189.21 PENALTY.  
31 2 Unless otherwise provided, any person violating any  
31 3 provision of this subtitle, excluding chapters 203, ~~203A,~~  
31 4 203C, 203D, 207, and 208, or any rule adopted by the  
31 5 department pursuant to such a provision, is guilty of a simple  
31 6 misdemeanor.  
31 7 Sec. 102. Section 189.23, Code 2003, is amended to read as  
31 8 follows:  
31 9 189.23 COMMON CARRIER.  
31 10 The penalties provided in this subtitle, excluding chapters  
31 11 203, ~~203A,~~ 203C, 203D, 207, and 208, shall not be imposed upon  
31 12 any common carrier for introducing into the state, or having  
31 13 in its possession, any article which is adulterated or  
31 14 improperly labeled according to the provisions of this  
31 15 subtitle, excluding chapters 203, ~~203A,~~ 203C, 203D, 207, and  
31 16 208, when the same was received by the carrier for  
31 17 transportation in the ordinary course of its business and  
31 18 without actual knowledge of its true character.  
31 19 Sec. 103. Section 189.24, Code 2003, is amended to read as  
31 20 follows:  
31 21 189.24 REPORT OF VIOLATIONS.  
31 22 When it appears that any of the provisions of this  
31 23 subtitle, excluding chapters 203, ~~203A,~~ 203C, 203D, 207, and  
31 24 208, have been violated, the department shall at once certify  
31 25 the facts to the proper county attorney, with a copy of the  
31 26 results of any analysis, examination, or inspection the  
31 27 department may have made, duly authenticated by the proper  
31 28 person under oath, and with any additional evidence which may  
31 29 be in possession of the department.  
31 30 Sec. 104. Section 189.28, Code 2003, is amended to read as  
31 31 follows:  
31 32 189.28 GOODS FOR SALE IN OTHER STATES.  
31 33 Any person may keep articles specifically set apart in the  
31 34 person's stock for sale in other states which do not comply  
31 35 with the provisions of this subtitle, excluding chapters 203,  
32 1 ~~203A,~~ 203C, 203D, 207, and 208, as to standards, purity, or  
32 2 labeling.  
32 3 Sec. 105. Section 189.29, Code 2003, is amended to read as  
32 4 follows:  
32 5 189.29 REPORTS BY DEALERS.  
32 6 Every person who deals in or manufactures any of the  
32 7 articles dealt with in this subtitle, excluding chapters 203,  
32 8 ~~203A,~~ 203C, 203D, 207, and 208, shall make upon blanks  
32 9 furnished by the department such reports and furnish such  
32 10 statistics as may be required by the department and certify to  
32 11 the correctness of the same.  
32 12 Sec. 106. Section 190.1, unnumbered paragraph 1, Code  
32 13 2003, is amended to read as follows:  
32 14 For the purpose of this subtitle, except chapters 192, 203,  
32 15 ~~203A,~~ 203C, 203D, 207, and 208, the following definitions and  
32 16 standards of food are established:  
32 17 Sec. 107. Section 203.1, subsection 8, paragraph h, Code  
32 18 2003, is amended by striking the paragraph.  
32 19 Sec. 108. Section 203.5, unnumbered paragraph 2, Code  
32 20 2003, is amended to read as follows:  
32 21 If an applicant has had a license under chapter 203, ~~203A,~~  
32 22 or 203C revoked for cause within the past three years, or has

32 23 been convicted of a felony involving violations of chapter  
32 24 203~~7~~, 203A, or 203C, or is owned or controlled by a person who  
32 25 has had a license so revoked or who has been so convicted, the  
32 26 department may deny a license to the applicant.

32 27 Sec. 109. Section 203.9, unnumbered paragraph 1, Code  
32 28 2003, is amended to read as follows:

32 29 The department may inspect the premises used by any grain  
32 30 dealer in the conduct of the dealer's business at any time,  
32 31 and the books, accounts, records, and papers of every grain  
32 32 dealer which pertain to grain purchases are subject to  
32 33 inspection by the department during ordinary business hours.  
32 34 The department shall cause the business premises and books,  
32 35 accounts, records, and papers of every grain dealer to be  
33 1 inspected at least once each eighteen-month period without  
33 2 justification. The department shall prioritize inspections  
33 3 based on the system provided in section 203.22. The  
33 4 department may use a risk rating produced by a statistical  
33 5 model provided in section 203.22 as justification to conduct  
33 6 an inspection. The transporter of grain in transit shall  
33 7 possess bills of lading or other documents covering the grain,  
33 8 and shall present them to any law enforcement officer ~~or to a~~  
~~33 9 person designated as an enforcement officer under section~~  
~~33 10 203.13~~ on demand. If there is justification to believe that a  
33 11 person is engaged without a license in the business of a grain  
33 12 dealer in this state, the department may inspect the books,  
33 13 papers, and records of the person which pertain to grain  
33 14 purchases.

33 15 Sec. 110. Section 203C.6, subsection 7, Code 2003, is  
33 16 amended to read as follows:

33 17 7. If an applicant has had a license under chapter 203~~7~~  
~~33 18 203A~~ or 203C revoked for cause within the past three years, or  
33 19 has been convicted of a felony involving violations of chapter  
33 20 203~~7~~, 203A, or 203C, or is owned or controlled by a person who  
33 21 has had a license so revoked or who has been so convicted, the  
33 22 department may deny a license to the applicant.

33 23 Sec. 111. Section 669.14, subsection 11, unnumbered  
33 24 paragraph 1, Code 2003, is amended to read as follows:

33 25 Any claim for financial loss based upon an act or omission  
33 26 in financial regulation, including but not limited to  
33 27 examinations, inspections, audits, or other financial  
33 28 oversight responsibilities, pursuant to chapters 87, 203,  
33 29 ~~203A~~, 203C, 203D, 421B, 486, 487, and 490 through 553,  
33 30 excluding chapters 540A, 542, 542B, 543B, 543C, 543D, 544A,  
33 31 and 544B.

33 32 Sec. 112. The following provisions are repealed:

- 33 33 1. Section 203.13, Code 2003.  
33 34 2. Chapter 203A, Code 2003.

33 35 DIVISION IX  
34 1 EFFECTIVE DATE

34 2 Sec. 113. EFFECTIVE DATE == DEPARTMENTAL AUTHORITY. This  
34 3 Act takes effect on October 1, 2003. However, the department  
34 4 of agriculture and land stewardship may adopt rules prior to  
34 5 that date in anticipation of the Act's effective date.

34 6 EXPLANATION

34 7 This bill provides for the administration and enforcement  
34 8 of programs by the department of agriculture and land  
34 9 stewardship (department), including by providing for program  
34 10 elimination and enhancing the readability of related  
34 11 provisions and providing an effective date. The departmental  
34 12 provisions are largely contained in Title V of the Code.

34 13 DIVISION I == GENERAL POWERS AND DUTIES OF THE DEPARTMENT.  
34 14 The bill amends provisions in Code chapter 159, which provides  
34 15 general powers and duties of the department. Code section  
34 16 159.1 provides definitions for subtitles 1 through 3,  
34 17 including agriculture and conservation of agricultural  
34 18 resources, animal industry, and agricultural development and  
34 19 marketing. The bill eliminates definitions relating to  
34 20 agricultural drainage wells that were transferred to another  
34 21 title of the Code during the 2002 Legislative Session. It  
34 22 also amends individual chapters within those subtitles to  
34 23 include specific definitions for the department and the  
34 24 secretary of agriculture in order to enhance the readability  
34 25 of the Code. It eliminates a definition of "person", which is  
34 26 defined generally in Code section 4.1.

34 27 The bill consolidates provisions into Code sections 159.4  
34 28 and 159.4A, and specifically creates a department of  
34 29 agriculture and land stewardship and recognizes the secretary  
34 30 of agriculture. It amends Code section 159.5, which provides  
34 31 for administrative units within the department and powers and  
34 32 duties. The bill rewrites the provisions relating to specific  
34 33 powers and duties into new Code sections and reserves this

34 34 Code section for the establishment of administrative units.  
34 35 Currently, many of these units are organized differently by  
35 1 the department than required in the Code section and the bill  
35 2 conforms the law to departmental practice. It retains the  
35 3 soil conservation division as a separate division within the  
35 4 department. The provisions organized as new Code sections  
35 5 include those relating to weather and crop bulletins, grain  
35 6 marketing regulations, drinking water regulations, and animal  
35 7 health.  
35 8 The bill requires the Code editor to transfer Code section  
35 9 159.31, providing for the Iowa seal, to another Code section  
35 10 in the same chapter.  
35 11 The bill repeals Code sections 159.6 (which reiterates  
35 12 provisions in other chapters of the Code), 159.9 (requiring  
35 13 the department to distribute statutes and rules to the  
35 14 public), and 159.19 (relating to the general assembly's  
35 15 establishment of the secretary's salary, which has been moved  
35 16 to another Code section).  
35 17 DIVISION II == BEEKEEPING. The bill amends a number of  
35 18 provisions in Code chapter 160 relating to beekeeping. The  
35 19 Code chapter provides that the department must establish an  
35 20 office of state apiarist. The bill provides that the  
35 21 department may establish such an office. The bill replaces  
35 22 references to the state apiarist with references to the  
35 23 department wherever it appears in the Code chapter. It  
35 24 repeals Code section 160.13 requiring the state apiarist to  
35 25 make an annual report to the secretary concerning the  
35 26 activities of the state apiarist during the past year.  
35 27 DIVISION III == SPECIAL DEPARTMENTAL FUNDS. The bill  
35 28 amends Code section 161B.1, which is the only section in the  
35 29 Code chapter, and provides for an agricultural energy  
35 30 management fund. The bill strikes a provision requiring the  
35 31 department to make a report regarding the fund to the standing  
35 32 committees on energy and environmental protection of the  
35 33 senate and house. The fund has no ending balance. The bill  
35 34 also directs the Code editor to transfer the Code section to  
35 35 Code chapter 161C relating to water protection practices and  
36 1 projects. It strikes a provision in Code section 161C.7 which  
36 2 provides for a task force responsible for submitting  
36 3 recommendations to the department through January 1, 2001.  
36 4 DIVISION IV == ELIMINATION OF IOWA SOYBEAN ASSOCIATION  
36 5 PROVISIONS. The bill repeals Code chapter 185A, which  
36 6 recognizes the Iowa soybean association. It does not affect  
36 7 the status of the association as a private entity or the  
36 8 soybean promotion board organized under a different Code  
36 9 chapter.  
36 10 DIVISION V == ELIMINATION OF IOWA CORN GROWERS ASSOCIATION  
36 11 PROVISIONS. The bill repeals Code chapter 185B, which  
36 12 recognizes the Iowa corn growers association. It does not  
36 13 affect the status of the association as a private entity or  
36 14 the corn promotion board organized under a different Code  
36 15 chapter.  
36 16 DIVISION VI == ELIMINATION OF FOOD LABELING PROVISIONS.  
36 17 The bill repeals Code chapter 191 providing for the labeling  
36 18 of foods by the department and especially dairy products. The  
36 19 federal government has largely preempted labeling requirements  
36 20 for products sold in interstate commerce. The bill provides  
36 21 that the department may adopt rules providing labeling  
36 22 requirements for dairy products or imitation dairy products  
36 23 which are exclusively sold on an intrastate basis and which  
36 24 are not otherwise subject to labeling requirements of the  
36 25 United States government.  
36 26 DIVISION VII == ELIMINATION OF STANDARD WEIGHTS AND  
36 27 MEASURES PROVISIONS. The bill repeals a number of provisions  
36 28 in Code chapter 210 providing for the regulation of weights  
36 29 and measures. The repealed Code sections include 210.7  
36 30 (bottomless measures), 210.9 (an exemption for drugs and honey  
36 31 combs), 210.10 (bushel measures), 210.11 (sale of fruits and  
36 32 vegetables by dry measure), 210.12 (sale of fruits and  
36 33 vegetables in baskets), 210.15 (milk bottles or containers),  
36 34 210.19 (standard weight of bread), 210.20 (bread wrappers),  
36 35 210.21 (violations for bread regulations), 210.22 (definition  
37 1 of "person"), 210.23 (bread regulation exemptions), 210.24  
37 2 (enforcement of bread regulations), and 210.25 (weighing  
37 3 bread).  
37 4 The bill provides that the department must adopt rules when  
37 5 necessary in conformance with the United States national  
37 6 institute of standards and technology.  
37 7 DIVISION VIII == ELIMINATION OF GRAIN REGULATION  
37 8 PROVISIONS. The bill repeals Code section 203.13 authorizing  
37 9 the department to designate an employee as an enforcement



37 10 officer. The bill repeals Code chapter 203A, which regulates  
37 11 grain bargaining agents. A grain bargaining agent bargains  
37 12 with buyers for the sale of grain for agricultural producers.  
37 13 Code chapter 203A provides requirements for permits, bonds,  
37 14 recordkeeping, inspections, and disciplinary proceedings. The  
37 15 bill makes conforming amendments.  
37 16 DIVISION IX == EFFECTIVE DATE. The bill takes effect  
37 17 October 1, 2003. It also authorizes the department to adopt  
37 18 rules earlier than that date in anticipation of the bill's  
37 19 effective date.  
37 20 LSB 2238SC 80  
37 21 da/sh/8